

IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE
FOR THE TWENTIETH JUDICIAL DISTRICT AT NASHVILLE

STATE OF TENNESSEE,)	
)	
Petitioner,)	
)	
v.)	No. _____
)	
JAMES L. TRIPLETT,)	
)	
Respondent.)	
)	

PETITION

Paul G. Summers, Attorney General and Reporter for the State of Tennessee, (hereinafter “Attorney General”), files this Petition pursuant to Tenn. Code Ann. § 47-18-107 of the Tennessee Consumer Protection Act of 1977 (hereinafter “the Act”), and would respectfully show the Court as follows:

1. The Attorney General, acting pursuant to the Act, has investigated certain acts and practices of James L. Triplett, individually (hereinafter “Respondent”). Upon completion of such investigation, the Attorney General has determined that certain of Respondent’s acts and practices, more specifically described in Paragraph 2 of this Petition, constitute unfair and deceptive acts or practices affecting the conduct of trade or commerce in the State of Tennessee in violation of Tenn. Code Ann. § 47-18-101 *et seq.* (the Tennessee Consumer Protection Act). More specifically, Respondent’s conduct is in violation of Tenn. Code Ann. §§ 47-18-104(a), (b)(2), (b)(3), (b)(5), (b)(7), (b)(12) and (b)(27). The Attorney General has also determined that certain of Respondent’s acts and practices, more specifically described in Paragraph 2 of this Petition, were in violation of Tenn. Code Ann. § 23-3-101 *et seq.* (the Unauthorized Practice and Improper Conduct Statute).
2. Based upon the investigation of Respondent, the Attorney General alleges the following:

(A) Respondent James L. Triplett signed and filed pleadings in an administrative hearing involving the civil service status of an employee, when Mr. Triplett was not an attorney and he was not representing himself.

- (B) The Respondent prepared legal documents such as administrative hearing pleadings and documents for Tennessee consumers for a fee. The Respondent is not an attorney and does not employ a licensed attorney for the regular conduct of his business.
- (C) Respondent's practice of filing and preparing documents and pleadings for an administrative hearing even though Respondent could not legally provide those services since he was not an attorney.
- (D) Respondent's conduct constitutes unfair and deceptive acts or practices and constitutes practicing law without a license.

3. Respondent neither admits nor denies the allegations of Paragraph 2 (A)-(D).

4. The Attorney General entered into negotiations with Respondent and the parties have agreed to, and the Division of Consumer Affairs (hereinafter "Division") has approved, the attached Assurance of Voluntary Compliance.

5. In accordance with the provisions of Tenn. Code Ann. § 47-18-107(c), the execution, delivery and filing of the Assurance does not constitute an admission of prior violation of the Act.

6. The Division, the Attorney General, and the Respondent, the parties who are primarily interested in the matters set forth in Paragraph 2 hereof, have jointly agreed to the Assurance of Voluntary Compliance and join in its filing.

PREMISES CONSIDERED, Petitioner prays:

1. That this Petition be filed without cost bond pursuant to the provisions of Tenn. Code Ann. §§ 20-13-101 and 47-18-116.

2. That the Assurance of Voluntary Compliance be approved and filed in accordance with the provisions of the Tennessee Consumer Protection Act.

Respectfully submitted,

PAUL G. SUMMERS
Attorney General and Reporter
B.P.R. No. 6285

TIMOTHY C. PHILLIPS
Assistant Attorney General
B.P.R. No. 12751
Office of the Attorney General
425 Fifth Avenue North, 2nd Floor
Nashville, Tennessee 37243-0491
(615) 741-3549

CERTIFICATE OF SERVICE

I, do hereby certify that on October _____, 2000 a true and exact copy of the foregoing was mailed, postage prepaid, via U.S. Mail to : Jennifer Jenson, Esq., 1883 North Rainbow, Memphis, Tennessee 38107-3112.

TIMOTHY C. PHILLIPS
Assistant Attorney General

Doc # 37908